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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/693,514	10/20/2000	Paul Lapstun	NPS024US	7916

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EXAMINER	
PHAM, THIERRY L	

ART UNIT	PAPER NUMBER
2625	

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/693,514	LAPSTUN ET AL.	
	Examiner	Art Unit	
	Thierry L. Pham	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 May 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-61* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-61* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

• This action is responsive to the following communication: Response to Notice of non-compliant filed on 5/10/06 which corresponds to earlier filed amendment dated 5/5/05.

• Claims 1-61 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-8, 10-13, 15-24, 26-43, 45-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dymetman et al (US 6330976), and in view of Tabata et al (US 6537324).

Regarding claim 1, Dymetman discloses a printer (col. 11, lines 55-60) including:

• a print mechanism (inherently, all printers include a print mechanism for printing data onto a physical medium, i.e., print media) for printing document information onto one or more of a plurality of print areas provided on a print area path (printed marking medium contains plurality of encoded data (i.e. page id and location id) with different zones/areas, figs. 3-10, col. 3, lines 56-60, col. 8, lines 45-67, and col. 9, lines 1-15), each of the print areas (each zones/areas contain different coded data, figs. 3-10, col. 3, lines 56-60, col. 8, lines 45-67, and col. 9, lines 1-15) including identity data indicative (i.e. information indicating zones/positions of the areas/zones within the document, figs. 3-10, col. 3, lines 56-60, col. 8, lines 45-67, and col. 9, lines 1-15) of identity information which differentiates the print area from others of the plurality. Dymetman also teaches a portable optical sensor 502 for sensing/detecting the coded data printed on the marking medium, but fails to teach and/or suggest such optical sensor 502 can be incorporated within the printer for sensing one or more print areas provided on the print area path.

Tabata, in the same field of endeavor for printing code data, teaches a printer including an optical sensor for sensing/detecting the coded data printed on the marking medium (scanner 470a for sensing coded data as shown in fig. 2 and such scanner can be incorporated within the printer, fig. 20, col. 23, lines 10-12 and col. 25, lines 5-10) for sensing one or more print areas provided on the print area path.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Dymetman as per teachings of Tabata by incorporating the optical sensor within the printer because of a following reason: (•) an optical sensor can be either portable and/or incorporated within the printer itself; (•) coded marking medium provides a faster and better method for retrieving document data (i.e. in digital copy) using optical sensor device rather than manually by users via keyboard and etc (col. 19, lines 32-42).

Therefore, it would have been obvious to combine Dymetman with Tabata to obtain the invention as specified in claim 1.

Regarding claim 2, Tabata further discloses the printer of claim 1 wherein the identity data is represented on the print data in a coded form and the printer includes a decoder (two-dimensional bar code decoder, col. 23, lines 26-30) which receives coded data from the at least one sensor and outputs decoded data representing at least the identity data or at least the identity information.

Regarding claim 3, Dymetman further discloses the printer of claim 1 wherein each identity information is represented on the print area by at least two discrete items (i.e. page id and location id, col. 9, lines 5-15) of data and the decoder outputs decoded data representing at least the identity information after receiving said at least two separate items of data.

Regarding claims 4-6, Tabata further discloses the printer of claim 1 wherein said at least one sensor is positioned to sense said identity data before/during/after printing of

the document information on the respective print area (scanner for sensing coded data at given moment, fig. 20).

Regarding claims 7-8, 10, Tabata further discloses the printer of claim 1 further including a transmitter (network, fig. 20) for transmitting information to a computer system.

Regarding claims 11-12, Tabata further discloses the printer of claim 1 wherein said printer derives (decoder, col. 23, lines 28-31) and transmits (network, fig. 20) identity data or identity information associated with a print area to a computer system (printer server, fig. 20) prior to receiving document data associated with said print area.

Regarding claim 13, Tabata further discloses the printer of claim 1 operable to over-print a print area having existing document (widely known in the art, i.e. text over graphic) information to render the existing document information unreadable.

Regarding claim 15, Tabata further discloses the printer of claim 1 wherein the at least one sensor is selected from an image sensor (scanner, fig. 20) and a magnetic sensor and a chemical sensor.

Regarding claims 16-17, Tabata further discloses the printer of claim 1 whrein the printer generates at least some of the information printed (medium form, fig. 2).

Regarding claim 18, Tabata further discloses the printer of claim 1 further including a user interface to enable user to input identity information into the printer (control panel incorporated within the printers are widely known in the art).

Regarding claim 19, a combination of Dymetman and Tabata also teaches a system for printing (Tabata, fig. 20), the system including;
(a) a computer system (print server, fig. 20, Tabata);

(b) a printer (printer 470, fig. 20, Tabata) including:

a print mechanism (inherently, all printers include a print mechanism for printing data onto physical print media) for printing document information onto a print area provided on a print area path, the print area including identity data indicative of identity information (medium form, fig. 2) which differentiates the print area form other print areas including identity data, the printer including:

(i) at least one sensor (scanner 470 for sensing coded data, fig. 20, Tabata) the identity data of the print area;

(ii) a transmitter (network, fig. 20) for transmitting data to the computer system, the data selected from one of the following:

(1) the identity information (coded data, fig. 2);

(2) data representative of the identity information (coded data identify zones/positions within the document, cols. 11-12, Dymetman);

(3) the identity data, or

(4) data representative of the identity data,

the computer system including:

(i) a receiver (network, fig. 20, Tabata) for receiving transmitted data, and

(ii) means for generating association data representative (print server for generating and storing correlated information file, fig. 20, Tabata) of an association between the document information and the identity information;

(iii) memory (print server, fig. 20, Tabata) for storing the association data.

Regarding claims 20-24, 26-36 recite limitations that are similar and in the same scope of invention as to those in claims 2-8, 10-18 above; therefore, claims 20-24, 26-36 are rejected for the same rejection rationale/basis as described in claims 2-8, 10-18.

Regarding claims 37-43, 45-58, which are the method claims corresponding to the apparatus claims 1-8 and 10-18 and are in the same scope of invention. The method claims are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 1-8 and 10-18 above.

Regarding claim 59-61, Dymetman further discloses each print area including identity data indicative of an identity of the respective print area (zones/areas, cols. 11-12).

Claims 9, 25, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dymetman and Tabata as described in claims 1, 19, and/or 37 above, and further in view of Mizutani (U.S. 6078400).

Regarding claims 9, 25, and 44, Tabata does not explicitly disclose a means to detect failure to correctly print document information onto a print area and for generating a void signal on detection of said failure, the transmitter transmitting said void signal to the computer system.

Mizutani, in the same field of endeavor for printing, teaches a means (error detection device, fig. 3a) to detect failure to correctly print document information onto a print area and for generating a void signal (error signal, cols. 3-4) on detection of said failure, the transmitter (network, fig. 1) transmitting said void signal to the computer system.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Tabata and Dymetman as per teachings of Mizutani because of a following reason: (1) to correctly sense/detect the errors occurred while printing and/or within the printers and to quickly resolve such errors as per teachings of Mizutani; therefore, provides high output quality prints.

Therefore, it would have been obvious to combine Tabata and Dymetman with Mizutani to obtain the invention as specified in claims 9, 25, and 44.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dymetman and Tabata as described in claims 1, and further in view of Ur (US 6072871).

The combinations of Dymetman and Tabata discloses a marking medium contains both coded data and human readable information (col. 14, lines 39-45, col. 35-39, and

col. 19, lines 33-42) but fails to teach and/or suggest the printer includes a print mechanism for printing on at least two of print areas substantially simultaneously.

Ur, in the same field of endeavor for printing, teaches an ink jet printer (printer 17, fig. 1) prints the coded data at the same time as printing the document on the surface defining structure (prints coded data 27 and document texts as shown in fig. 2 at the same time, col. 4, lines 41-47).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Dymetman and Tabata as per teaching of Ur because of a following reason: • reduce hardware costs and time by printing both coded data and document data simultaneously.

Therefore, it would have been obvious to combine Tabata, Dymetman, and Ur to obtain the invention as specified in claim 14.

Response to Arguments

Applicant's arguments filed 5/5/05 have been fully considered but they are not persuasive.

• Regarding to independent claims, the applicants argued the cited prior arts of record (US 6330976 to Dymetman and US 6537324 to Tabata) fail to teach and/or suggest a printer that both prints and senses information on the same media.

In response, the examiner disagrees with applicants' assertions/arguments. First of all, limitations/features as cited in independent claims do not include type of information (i.e. coded data or regular print data) to a type data being sensed or printed. Tabata explicitly teaches a printer (ref. 40, fig. 1) that both prints and senses/scans (scanner 470a, fig. 2, col. 23, lines 10-12 and col. 25, lines 5-10) data printed on a print media. In addition, the examiner had previously attached a well-known example of relevant prior art (US 6137590 to Mori), which teaches a printer that both prints and senses the information (i.e. bar code information 10a and document information on a single print media as shown in fig. 7) on the print media.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. 6137590 to Mori, teaches a printer includes a sensor for detecting/sensing coded data (i.e. page id coded data).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thierry L. Pham

GABRIEL GARCIA
PRIMARY EXAMINER